BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

----- In the Matter of -----)

CYP, INC., dba CYPRIANO RENTALS & TRUCKING

Notice of Failure to Comply With Hawaii Revised Statutes and Commission's Regulations; Order to Show Cause Why Respondent's Operating Authority Should Not Be Suspended or Revoked. DOCKET NO. 2006-0201

ORDER NO. 22753

Filed August 16, 2006

At _____ at ____ o'clock P.M.

Chief Clerk of the Commission

2006 AUG | 7 A 8: 3:

DIV. OF CONSUMER ADVOCAC

DEPT. OF COMMERCE AND

CONSUMER AFFAIRS

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NOTICE OF VIOLATION, ORDER TO SHOW CAUSE, AND NOTICE OF HEARING

CYP, INC., dba CYPRIANO RENTALS & TRUCKING ("Respondent"), is the holder of a certificate of public convenience and necessity ("Certificate"), issued pursuant to Hawaii Revised Statutes ("HRS") § 271-12. Under Certificate No. 5121-C, Respondent is authorized to transport property by motor vehicle over irregular routes on the island of Hawaii.

HRS § 271-36 and Hawaii Administrative Rules ("HAR") § 6-62-24(a) require Respondent to pay an annual motor carrier gross revenue fee ("Fee"). Respondent failed to pay the Fee for 2005.

Additionally, by Citation Order No. 374 ("Order"), filed on December 20, 2002, the commission imposed a civil penalty of \$1,000.00 for violating the Hawaii motor carrier laws. On October 15, 2004, the commission sent Respondent a final bill for collection, requesting payment of the civil penalty.

Respondent has not complied with the commission's Order by failing to pay the civil penalty imposed by the commission.

HRS § 271-19 and HAR § 6-68-32(b) authorize the commission, after notice and hearing, to suspend or revoke any Certificate, in part or in whole, if the commission finds that the holder violated any provision of HRS chapter 271. Accordingly, the commission may suspend or revoke Respondent's Certificate for failure to comply with the legal requirements set forth above, unless Respondent is able to show cause why such suspension or revocation should not occur.

THE COMMISSION ORDERS:

- 1. Respondent shall appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on September 27, 2006, to show cause why Respondent's Certificate should not be suspended or revoked for failure to comply with the legal requirements set forth in this order.
- 2. Respondent may be represented by counsel. If Respondent does not retain counsel, Respondent may be represented at the hearing as follows: (a) an individual may appear on his or her own behalf; (b) a partner may represent a partnership; and (c) an officer or authorized employee of a corporation, trust, or association may represent the corporation, trust, or association.
- 3. If Respondent fails to appear at the scheduled hearing, Respondent's Certificate shall be revoked.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Carlito P. Caliboso, Chairman

APPROVED AS TO FORM:

Commission Counsel

2006-0201.et

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22753 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS DIVISION OF CONSUMER ADVOCACY P. O. Box 541 Honolulu, HI 96809

CYP, INC.
dba CYPRIANO RENTALS & TRUCKING
2122 Rusty Court
Twin Falls, ID 83301 (CM #7002 2030 0006 6798 6060)

Karen Higashi

DATED: AUG 1 6 2006